

COMMITTEE ON GOVERNMENT REFORM
CONGRESSMAN TOM DAVIS, CHAIRMAN



NEWS RELEASE

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Davis Hails Introduction of Bipartisan Legislation Giving FDA
Comprehensive Regulatory Authority Over Tobacco Products

Washington, D.C. – House Government Reform Committee Chairman Tom Davis (R-VA) joined the committee's Ranking Member, Congressman Henry Waxman (D-CA) today in introducing the Family Smoking Prevention and Tobacco Control Act, which gives the Food and Drug Administration (FDA) comprehensive, effective authority to oversee the tobacco industry. This landmark legislation embodies a bipartisan compromise that has been endorsed by both the public health community and the nation's largest cigarette manufacturer.

"This bill will help keep our children away from tobacco products and protect them from being targeted by the tobacco industry," said Congressman Davis. "It also seeks to help adult smokers by empowering FDA to develop programs to help them quit, regulate the way that manufacturers talk about their products, and work on ways to reduce the toxicity of tobacco products so that they ultimately will cause less and less disease over time."

The bill allows FDA to remove harmful substances from tobacco products, whether or not they are already on the market. The marketing and access restrictions found in the 1996 FDA regulation are to be issued as an interim final rule. These restrictions will go into effect shortly after enactment of the bill, and will be subject to federal enforcement that has been carefully crafted to address the concerns of the retailer community. Furthermore, the bill would permit the FDA to prohibit the use of descriptors, such as "light" and "ultralight", to ensure that consumers will not be misled by them. It also contains specific provisions designed to reduce the trade in counterfeit and other illicit tobacco products in our country, which is costing governments billions of dollars per year at all levels.

The bill also draws upon the Institute of Medicine report *Clearing the Smoke* and the testimony of experts to devise a scheme for the development and approval of modified risk tobacco products. That is, products that could potentially expose users to

less risk than current conventional tobacco products. It also puts products designed to replace nicotine on the fast track for FDA approval.

The bill will establish effective rules that will be applied equally to tobacco manufacturers. Its advertising restrictions will have to fit within the parameters of the free-speech protections offered by the First Amendment, and its rules for responsible manufacturing practices contain special provisions to ensure that companies needing extra time to comply will be able to get it.

“Ultimately this legislation needs to be combined with a tobacco quota buyout,” said Davis. “Tobacco growers in Virginia have waited far too long for relief from a Depression-era anachronism that has placed them in dire financial straits. The government created quota system needs to be bought out and eliminated.”

The bill, a companion to a Senate bill that has been introduced by Senators DeWine and Kennedy, has been endorsed by both the Campaign for Tobacco Free Kids and Philip Morris USA.

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